

1 The Honorable Timothy W. Dore
2 Chapter 7
3 Hearing Date: Friday, Sept. 11, 2020
4 Hearing Time: 9:30 A.M.
5 Location: Seattle - Telephonic
6 Dial: 1-888-363-4749
7 Enter Access Code: 2762430#
8 Press the # sign
9 Enter Security Code: 5334#
10 Response Date: Sept. 4, 2020

8 UNITED STATES BANKRUPTCY COURT
9 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

10 In re Nicholas Clifton Barnard,

11 Debtor. No. 20-11870 – TWD

12 MOTION TO REDEEM PERSONAL
13 PROPERTY

14 Comes now the Debtor, Nicholas Clifton Barnard, by and through counsel, and moves
15 the Court pursuant to Section 722 of the Bankruptcy Code¹ and Bankruptcy Rule 6008 for a
16 Redemption Order on the following grounds:

17 The item to be redeemed is tangible personal property intended primarily for personal,
18 family or household use, and is more particularly described as follows:

19 Year: 2013 Make: Ford Model: C-Max Energi Color: White

20 Miles: 118,962 (approx.) VIN: 1FADP5CU7DL531019

21 (the “Property”).

22 1. The Debtor’s interest in the Property is exempt, and the debt, which is secured
23 by the Property to the extent of the allowed secured claim of the Respondent Santander
24 Consumer USA (“Creditor”) is a dischargeable consumer debt.

25
26 ¹ 11 U.S.C. §§ 101-1532. Unless specified otherwise, all chapter and section references are to the Bankruptcy
Code.

2. The Creditor's allowed secured claim for the purposes of redemption, the "Redemption Value" should be determined to be not more than \$2,400, as evidenced by the Declaration of Nicholas C. Barnard filed herewith along with the Kelly Blue Book valuation and repair estimate, Exhibits A & B respectively to the Debtors' Declaration.

3. The Debtor will either enter into a financing agreement with another creditor or borrow the entire Redemption Value from a friend to pay Creditor the Redemption Value and release Creditor's lien on the Property. In the event Creditor objects to this Motion, the Debtor requests the Court to determine the value of the Property as of the time of the hearing on such objection.

DATED this 15th day of August, 2020.

KAPLAN LAW PLLC

By: /s/ Michelle C. Kaplan
Michelle Carmody Kaplan
WSBA No. 27286
Attorney for Debtor